

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 114 be amended to read as follows:

- 1 Page 14, line 35, delete ":" and insert "**notice under section 2.2 of**
2 **this chapter and a public hearing under section 2.1 of this**
3 **chapter.**".
- 4 Page 14, delete lines 36 through 39.
- 5 Page 17, delete lines 7 through 28, begin a new paragraph and
6 insert:
- 7 "SECTION 10. IC 36-4-3-3.1 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3.1. **(a) This section**
9 **applies only to an annexation described in section 1.7(a)(2) of this**
10 **chapter or under section 5 or 5.1 of this chapter.**
- 11 ~~(a)~~ **(b)** This section does not apply to an annexation under section
12 4(a)(2), 4(a)(3), 4(b), 4(h), or 4.1 of this chapter.
- 13 ~~(b)~~ **(c)** A municipality shall develop and adopt a written fiscal plan
14 and establish a definite policy by resolution of the legislative body that
15 meets the requirements set forth in section 13 of this chapter.
- 16 **(d) This subsection applies only to an annexation described**
17 **under section 5 or 5.1 of this chapter. The department must**
18 **approve the fiscal plan under section 6.5 of this chapter before the**
19 **municipality may adopt an annexation ordinance. A municipality**
20 **may not amend the fiscal plan after the department approves the**
21 **fiscal plan under section 6.5 of this chapter.**
- 22 ~~(c)~~ **(e)** Except as provided in subsection ~~(d)~~, This subsection
23 **applies only to an annexation described in section 1.7(a)(2) of this**
24 **chapter.** The municipality shall establish and adopt the written fiscal
25 plan, before mailing the notification to landowners in the territory
26 proposed to be annexed under section 2.2 of this chapter.
- 27 ~~(d)~~ In an annexation under section 5 or 5.1 of this chapter, the
28 municipality shall establish and adopt the written fiscal plan before
29 adopting the annexation ordinance."
- 30 Page 19, line 23, after "(a)" insert "**This section applies only to an**
31 **annexation under section 5 or 5.1 of this chapter.**".

- 1 Page 25, line 38, delete "The" and insert "**If the annexation is**
- 2 **under section 5 or 5.1 of this chapter, the**".
- 3 Page 30, line 4, after "through" insert "**14 and SECTIONS 16, 17,**
- 4 **19, and 20 of this act apply to annexation ordinances adopted after**
- 5 **June 30, 2008.**".
- 6 Page 30, delete lines 5 and 6.
- 7 Renumber all SECTIONS consecutively.
(Reference is to SB 114 as printed January 18, 2008.)

Senator BRODEN